GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Backward Classes Welfare Department – Appeal petition filed by Sri Potnuru Nanaji Rao, late P.Appa Rao, Ragolu Village, Srikakulam, against the proceedings Rc.No.548/2014-C1, Dt.10.07.2019 of the District Collector, Srikakulam, under Section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (AP Act No.16/1993) – Appeal Petition allowed – Orders -Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.Ms.No. 14 **Dated: 08-11-2021**

Read the following:-

1. Procedings of the Collector & District Magistrate, Srikakulam District, Lr.Rc.No.548/2014/C1, dated: 10.07.2019.
2. Appeal petition filed by Sri Potnuru Nanaji Rao, S/o (late) P.Appa Rao, Ragolu Village, Srikakulam, before the Honble M(BCW), dt:24.09.2019.
3. From the Hon'ble High Court of Andhra Pradesh at Amaravati orders in W.P. No.12559 OF 2019 filed by Sri P.Nanaji Rao S/o (late) P.Appa Rao, Ragolu Village, Srikakulam, Srikakulam District, dated: 17.10.2019.
4. Govt. Memo.No.2565/BCW/F/2020, dated.28.01.2020.
5. From the Collector & District Magistrate, Srikakulam District, Records vide Rc.No.548/2014/C1, dated: 21.02.2020.
6. Govt. Memo.No.2565/BCW/F/2020, dated.22.09.2021.
7. Written arguments filed by appellant before the Appellate Authority on 27.09.2021.

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O R D E R:

In the reference 1st read above, the District Collector, Srikakulam has issued orders cancelling the Kintali Kalinga (BC-A) caste certificates obtained from Mandal Revenue Officer, Srikakulam in the years 1981, 1991 & 2016 by Sri Potnuru Nanaji Rao, S/o (late) P.Appa Rao, Ragolu Village, Srikakulam District.

2. In the reference 2nd read above, Sri Potnuru Nanaji Rao, S/o (late) P.Appa Rao, has filed an Appeal Petition before the Government, against the Proceedings of the District Collector, Srikakulam. After examining the said Appeal Petition, Government have admitted the Appeal Petition and as per the orders of the Hon'ble High Court in orders in W.P. No.12559 of 2019, granted stay on the proceedings of the District Collector, Srikakulam dated.10.07.2019 and called for the parawise remarks and connected records from the District Collector, Srikakulam in the reference 4th read above.

3. In the reference 5th read above, the District Collector, Srikakulam has furnished the Parawise remarks and the connected records on the Appeal Petition filed by Sri Potnuru Nanaji Rao, S/o (late) P.Appa Rao.

4. The said Appeal Petition has been posted for hearing on 27.09.2021 and the same has been informed to the Appellant and the Counsel for the Appellant in the reference 6th read above, and they were requested to attend for the hearing along with all Documentary Evidences/ Certificates in support of the community claim, failing which, it will be construed that there is no explanation what-so-ever to furnish in the matter and that the case will be decided based on the material available with the Government. The appellant has filed written arguments and documents before the Appellate Authority on 27.09.2021, in support of his BC-A (Kintali Kalinga) community claim, in the reference 7th read above.

P.T.O.

5. After hearing both the sides and on perusal of the records/the copies of evidences/ academic record/ grounds filed by the Appellant/ the para-wise remarks submitted by the District Collector, Srikakulam and proceedings of the District Collector, Srikakulam, dated 10.07.2019, the Appellate Authority has observed that, the material available on the record, it can be concluded that the lower authority failed to observe the following findings.

(i). The testimonies of the Sarpanch of Ragolu Village, Srikakulam District & the Z.P.T.C., Srikakulam Rural Mandal, Srikakulam District.

(ii). The Caste Certifcates issued to his relatives by the Tahsildar, Tekkali, Srikakulam District, Namely:

a. Potnuru Tirupathi Rao, S/o. Jaganayakulu
b. Potnuru Satyapriya, D/o. Daliraju.
c. Potnuru Venkata Kamaraju, S/o. Ramayya.

(iii). The Caste Certifcates are issued to his relatives i.e., Potnuru Yugandhar, S/o. Srinivasa Rao by Tahsildar, Srikakulam Town, Srikakulam District.

(iv). The Deputy Director, Tribal Welfare Department, Srikakulam in his report dated.23.05.2016 has stated that, the Kintali Kalinga Caste of Sri Potnuru Nanaji Rao is genuine.

(v). Finally, Sri P.Malleswara Rao has not produced any valid documents in support of his claim.

6. In view of the several reasons recorded in the paras supra, the Government, in exercise of the powers conferred under Section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (AP Act No.16 of 1993), hereby allowed the Appeal Petition filed by Sri Potnuru Nanaji Rao, S/o. (late) P.Appa Rao, by upholding his "BC-A" (Kintali Kalinga) community claim and the **Kintali Kalinga (BC-A)** caste certificate issued by the then Mandal Revenue Officer, Srikakulam is genuine and the Proceedings of the District Collector, Srikakulam issued in the reference 1st read above are set-aside.

7. The District Collector, Srikakulam shall take necessary consequential action in the matter.

8. The records (containing Rc.No.548/2014/C1, pages 1 to 487) received from the District Collector, Srikakulam through the reference 5th read above, are returned herewith in original to the District Collector, Srikakulam and he is requested to acknowledge the receipt of the same, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Collector & District Magistrate, Srikakulam District.
Sri Potnuru Nanaji Rao, S/o Late Appa Rao,
Resident of Plot No.71, RTC Colony, Ragolu Village,
Srikakulam Mandal, Srikakulam District.

Copy to:
The PS to Minister for Backward Classes Welfare.
The PS to Spl.C.S., BC Welfare Department.
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER